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DATE
SEPTEMBER 29, 2005

COMMENTS:

Application No. 09/505,735

fax

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NO. 1741 P. 2/3

Serial No. 09/505,735
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Microsoft No. 138337.1

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 29 2005

Applicants: Alessandro Muti, et al.) Attorney Docket No. MFCP.68276
Serial No. 09/505,735) Group Art Unit: 2143
Filing Date: February 16, 2000) Examiner: Joseph E. Avellino
SYSTEM AND METHOD FOR) Confirmation No. 6053
TRANSFERRING DATA OVER A)
NETWORK)

CERTIFICATE OF TRANSMISSION 37 C.F.R. § 1.8	
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SUMMARY OF TELEPHONIC INTERVIEW

An interview was conducted by telephone between the Examiner and Applicants' representative, John Golian, on September 15, 2005. The interview was initiated by Applicants' representative to discuss the status of the present application. Applicants submit this Summary setting forth a statement of the substance of the interview pursuant to MPEP § 713.04 and in response to the Interview Summary mailed September 23, 2005.

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Serial No. 09/505,735
Filed: 2/16/00

Microsoft No. 138337.1

Brief Description of the Nature of any Exhibit Shown or any Demonstration Conducted:

No exhibits were shown and no demonstrations were conducted.

Identification of the Claims Discussed:

Independent claim 1 was discussed.

Identification of Specific Prior Art Discussed:

U.S. Patent Nos. 5,913,040 to Rakavy et al. ("Rakavy") and International Publication No. WO 00/01123 ("Chiu") were discussed.

Identification of the Principle Proposed Amendments of a Substantive Nature Discussed:

None.

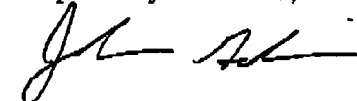
The General Thrust of the Principal Arguments of Applicant and the Examiner:

Applicants' representatives noted differences between the independent claims and the applied art, namely Rakavy and Chiu. In addition, Applicants' representative indicated that the Rakavy and Chiu references, either alone or in combination, fail to teach or suggest all of the claim limitations of independent claim 1 (as well as similar limitations of the other independent claims). In particular, Applicants' representative explained that the Rakavy and Chiu references fail to teach or suggest identifying a maximum monitored level of actual bandwidth utilization and calculating a threshold level of utilization as a function of the maximum monitored level of utilization as recited in independent claim 1.

General Indication Of Any Other Pertinent Matters Discussed:

The Examiner kindly indicated that he would take all arguments into consideration.

Respectfully submitted,



John Golian
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